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April 15, 2025

REQUEST TO BE FILED UNDER SEAL
BY EMAIL

The Honorable Arun Subramanian
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *United States v. Combs*, S3 24 Cr. 542 (AS)

Dear Judge Subramanian:

The Government is in receipt of the defendant's April 15, 2025 request for a Rule 17 subpoena for materials from Victim-4 and respectfully requests to respond by Friday, April 18, 2025. In making this request, the Government notes that the proposed subpoena is inconsistent with the guidance provided by the Court at the April 14, 2025 conference in this matter. At that conference, the Court advised defense counsel that a broad request for materials from Victim-4 would present issues and that counsel should therefore "be rifle-shot about what you are asking for and point to specific items of relevance that you believe exist and have not been turned over and are not in Mr. Combs' possession" and "confer with the government, . . . to see if they can assist in any way in getting you access to some of those materials." (Apr. 14, 2025 Conf. Tr. at 23). Despite this clear guidance, the defendant made no attempt to confer with the Government, instead submitting a broad request that on its face is the exact kind of "general fishing expedition" prohibited by Rule 17. *United States v. Nixon*, 418 U.S. 683, 699 (1974); *see also United States v. Xu*, No. 23 Cr. 133 (JMF), 2024 WL 4504352, at *2 (S.D.N.Y. Oct. 16, 2024) (denying broad proposed Rule 17 subpoena because, among other reasons, the defendant was engaging in a fishing expedition). As a result, the Government respectfully seeks an opportunity to respond prior to the issuance of any subpoena.

Respectfully submitted,

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